

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on March 14, 2017 at 8:00 AM, in Room 137 Capitol

ROLL CALL

Members Present:

Rep. Alan Doane, Chair (R)
Rep. Seth Berglee, Vice Chair (R)
Rep. Virginia Court, Vice Chair (D)
Rep. Laurie Bishop (D)
Rep. Bob Brown (R)
Rep. Jennifer Eck (D)
Rep. Bill Harris (R)
Rep. Ellie Hill Smith (D)
Rep. Kathy Kelker (D)
Rep. Casey Knudsen (R)
Rep. Theresa Manzella (R)
Rep. Nate McConnell (D)
Rep. Shane A. Morigeau (D)
Rep. Dale Mortensen (R)
Rep. Zac Perry (D)
Rep. Matt Regier (R)
Rep. Kirk Wagoner (R)

Members Excused:

Rep. Lola Sheldon-Galloway (R)
Rep. Barry Usher (R)

Members Absent: None

Staff Present: Sara Fleming, Committee Secretary
Helen Thigpen, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 207, 3/8/2017; SB 282, 3/8/2017; SB 286, 3/8/2017
Executive Action: SB 286, HB 562, SB 64

HEARING ON SB 207

Opening Statement by Sponsor:

00:01:16 Sen. Frederick (Eric) Moore (R), SD 19, opened the hearing on SB 207, Provide for confidentiality of heritage properties and paleontological remains.

Proponents' Testimony:

00:04:37 Chelsie Cargill, Montana Farm Bureau Federation
00:05:13 Chuck Denowh, United Property Owners Montana

Opponents' Testimony:

00:06:43 Kristi Ponozzo, Department of Environmental Quality (DEQ)

Informational Testimony: None

Questions from Committee Members and Responses:

00:07:48 Rep. McConnell
00:09:38 Sen. Moore
00:09:45 Rep. Bishop
00:10:17 Kristi Ponozzo, DEQ
00:11:24 Rep. Bishop
00:11:35 Sen. Moore

Closing by Sponsor:

00:12:29 Sen. Moore

HEARING ON SB 286

Opening Statement by Sponsor:

00:13:42 Sen. Frederick (Eric) Moore (R), SD 19, opened the hearing on SB 286, Revise laws regarding contractual right to attorney fees.

[EXHIBIT\(juh53a01\)](#)

Proponents' Testimony:

00:16:22 Chuck Denowh, United Property Owners Montana

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:18:31 Sen. Moore

Committee Business:

00:20:09 Chair Doane

HEARING ON SB 282**Opening Statement by Sponsor:**

00:28:54 Sen. Albert Olszewski (R), SD 6, opened the hearing on SB 282, Revise abortion laws concerning viable fetus.

[EXHIBIT\(juh53a02\)](#)

[EXHIBIT\(juh53a03\)](#)

Proponents' Testimony:

00:34:36 Garret Bacon, Self

00:35:32 Ed Halland, Self

00:40:17 Carol Eve Moon, Self

[EXHIBIT\(juh53a04\)](#)

[EXHIBIT\(juh53a05\)](#)

00:43:39 Jeff Laszloffy, Montana Family Foundation

00:47:24 Mary Ann Evans, Montana Catholic Conference (MCC)

Opponents' Testimony:

00:53:22 SK Rossi, American Civil Liberties Union (ACLU)

01:00:16 Laura Terrill, Planned Parenthood of Montana

[EXHIBIT\(juh53a06\)](#)

[EXHIBIT\(juh53a07\)](#)

01:04:33 Robin Turner, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

01:08:43 Jules Shindel, Montana Human Rights Network

01:09:06 Jessica Peterson, Naral Pro Choice Montana

Informational Testimony: None**Questions from Committee Members and Responses:**

01:12:40 Rep. Kelker

01:13:20 Laura Terrill, Planned Parenthood of Montana

01:14:50 Rep. Kelker

01:15:33 SK Rossi, ACLU

01:18:53 Rep. Sheldon-Galloway

01:19:25 Sen. Olszewski

01:24:31 Rep. Manzella

01:25:10 SK Rossi, ACLU

01:28:39 Rep. Bishop

01:29:28 Sen. Olszewski

01:33:31 Rep. Bishop

01:34:29 Laura Terrill, Planned Parenthood of Montana

01:34:50 Rep. Morigeau

01:35:23 SK Rossi, ACLU

01:35:52 Rep. B. Brown

01:36:39 Sen. Olszewski

01:39:16 Rep. C. Knudsen

01:40:00 Sen. Olszewski

01:40:43 Rep. Berglee
01:41:43 SK Rossi, ACLU
01:42:28 Rep. Berglee
01:43:13 Laura Terrill, Planned Parenthood of Montana
01:44:23 Carol Eve Moon, Self
01:45:25 Rep. Berglee
01:45:56 Carol Eve Moon, Self
01:46:43 Rep. Manzella
01:47:42 Sen. Olszewski

Closing by Sponsor:

01:50:33 Sen. Olszewski

Committee Business:

01:55:34 Chair Doane

01:56:12 Recess

02:20:21 Reconvene

EXECUTIVE ACTION ON SB 286

02:20:59 **Motion:** Rep. Berglee moved that **SB 286 BE CONCURRED IN.**

02:21:10 **Motion:** Rep. Berglee moved that **SB 286 BE AMENDED.**
EXHIBIT(juh53a08)

Discussion:

02:21:19 Helen Thigpen, Legislative Services Division (LSD)

02:22:03 **Vote:** Motion carried unanimously by voice vote. Rep. Harris, Rep. Hill Smith and Rep. Morigeau voted by proxy.

02:22:34 **Motion/Vote:** Rep. Berglee moved that **SB 286 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Rep. Harris, Rep. Hill Smith and Rep. Morigeau voted by proxy. Rep. Regier will carry the bill.

EXECUTIVE ACTION ON HB 562

Discussion:

02:23:21 Helen Thigpen, LSD

02:23:49 **Motion:** Rep. Berglee moved that **HB 562 DO PASS.**

02:23:55 **Motion:** Rep. C. Knudsen moved that **HB 562 BE AMENDED.**
EXHIBIT(juh53a09)

Discussion:

02:24:35 Rep. Sheldon-Galloway

02:26:26 Rep. C. Knudsen

02:26:55 Rep. Usher

02:27:31 **Vote:** Motion carried unanimously by voice vote. Rep. Harris, Rep. Hill Smith and Rep. Morigeau voted by proxy.

02:28:00 **Motion:** Rep. Berglee moved that **HB 562 DO PASS AS AMENDED.**

Discussion:

02:28:10 Rep. Kelker

02:28:50 Rep. Morigeau joined the meeting

02:29:02 **Vote:** Motion carried 10-9 by roll call vote with Rep. Bishop, Rep. Court, Rep. Eck, Rep. Hill Smith, Rep. Kelker, Rep. McConnell, Rep. Morigeau, Rep. Perry and Rep. Sheldon-Galloway voting no. Rep. Harris and Rep. Hill Smith voted by proxy.

EXECUTIVE ACTION ON SB 64

02:30:44 **Motion:** Rep. Berglee moved to **RECONSIDER ACTION ON SB 64.** Motion was without objection.

02:31:15 **Motion:** Rep. Berglee moved that **SB 64 BE CONCURRED IN.**

02:31:24 **Motion:** Rep. Berglee moved that **SB 64 BE AMENDED.**

[EXHIBIT\(juh53a10\)](#)

Discussion:

02:31:50 Helen Thigpen, LSD

02:35:41 Rep. Wagoner

02:36:54 Rep. Court

02:38:25 Rep. Usher

02:38:53 Chair Doane

02:39:11 Rep. Usher

02:39:35 Helen Thigpen, LSD

02:40:51 Rep. Wagoner

02:41:16 Rep. Sheldon-Galloway

02:42:16 Chair Doane

02:42:20 Adrian Slaughter, Department of Corrections (COR)

02:42:41 **Motion:** Rep. Doane moved that **SB 64 BE POSTPONED.** Motion was without objection.

Discussion:

02:42:57 Helen Thigpen, LSD

ADJOURNMENT

Adjournment: 02:43:06

Sara Fleming, Secretary

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Additional Documents:

EXHIBIT([juh53aad.pdf](#))